

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

|                               |   |                           |
|-------------------------------|---|---------------------------|
| .....                         | X |                           |
| Scott Darryl Reese,           | : |                           |
| Claimant                      | : |                           |
|                               | : |                           |
| v.                            | : |                           |
|                               | : |                           |
| IN RE:                        | : | Honorable Robert D. Drain |
|                               | : |                           |
| DELPHI CORPORATION, et. al.,  | : | Case No. 05-44481         |
| DELPHI - DEBTOR IN POSSESSION | : |                           |
| DELPHI CHASSIS SYSTEMS        | : | Bankruptcy Trustee        |
| Debtor,                       | : |                           |
|                               | : | (Jointly Administered)    |
| .....                         | X |                           |

COUNSEL FOR THE DEBTORS.

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Scott Darryl Reese  
c/o 329 Basket Branch  
Oxford, Michigan state  
[48371-6359]  
Creditor - (248) 969-4055

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**MOTION FOR INTERVENTION PURSUANT TO UNITED STATES**

**BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW  
YORK INTERVENTION CONCURRENT WITH FED. R. CIV.  
PROCEDURE RULE 24 INTERVENTION**

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Now comes Scott Darryl Reese, a/k/a SCOTT DARRYL REESE; SCOTT D. REESE, as one and the same, in the exercise of his personal Rights, Privileges and Immunities, pursuant to Article IV, § 2, Clause 1 of the Constitution of the United States, and the seventh Amendment of the Constitution of the United States of America.

Scott Darryl Reese moves this court under United States Bankruptcy Court for the Southern District of New York, Intervention, concurrent with Fed. R. Civ. procedure Rule 24 (a) (2) Intervention of Right, and this applicant claims an interest relating to the property transaction which is the subject of this action in this United States Bankruptcy Court for the Southern District of New York, and states as follows:

1. That Intervener, Scott Darryl Reese, presents this valid claim against *DELPHI CORPORATION, et. al., DELPHI - DEBTOR IN POSSESSION, DELPHI CHASSIS SYSTEMS* in this Bankruptcy case.

2. That Scott Darryl Reese presents this claim in the amount in excess of \$10,000.00, U.S. Funds, at the time of this filing for Intervention. The personal damage claim in proceeding in a Bankruptcy case may outweigh that of the amount that is recoverable.

3. That Scott Darryl Reese offered actual proofs of personal damages on unauthorized payroll deductions by Charla Keith as a private sector worker of *Delphi - Debtor in Possession*, place of action *General Motors/Delphi Automotive Payroll Services, Wage Attachments, 1225 West Washington Street, Tempe, Arizona, 85281* on behalf of *Delphi Energy & Chassis Systems, Saginaw Operations, 2328 East Genesee, Saginaw, Michigan, 48601*, in the 50 United States, and is within

the jurisdiction of the federal Bankruptcy court.

4. Claimant, Scott Darryl Reese, is a party of interest in this action, having a personal action against *DELPHI CORPORATION, et. al., DELPHI - DEBTOR IN POSSESSION*, DELPHI World Headquarters located at 5725 Delphi Drive, Troy, Michigan, 48098-2815, place of action *Delphi Energy & Chassis Systems, Saginaw Operations, 2328 East Genesee, Saginaw, Michigan, 48601*, and *General Motors/Delphi Automotive Payroll Services, Wage Attachments, 1225 West Washington Street, Tempe, Arizona, 85281*. See Copy of Agreement to hire Scott Darryl Reese as **Exhibit B, In lieu of “IRS Form W-4”** and copy of claim of exception for City of Saginaw, State of Michigan and Federal Income Tax withholdings on **W-4 Qualifying Declaration, Exhibit C**, as proof of claim filed with this court. Both the **In lieu of “IRS Form W-4”** and **W-4 Qualifying Declaration** attachments were given to the Director of Payroll at *Delphi Energy & Chassis Systems, Saginaw Operations, 2328 East Genesee, Saginaw, Michigan, 48601*, Jody Stopyak, on or about September 6, 2006, who forwarded them on to *General Motors/Delphi Automotive Payroll Services, Wage Attachments, 1225 West Washington Street, Tempe, Arizona, 85281*, as well as, in all probability, payroll divisions located in Texas and the country of Jamaica. The reason stipulated to Claimant at this time was that no payroll whatsoever was done “in house” at the Saginaw, Michigan location.

5. Scott Darryl Reese, Creditor applied and was granted occupation at *Delphi Energy & Chassis Systems, Saginaw Operations, 2328 East Genesee, Saginaw, Michigan, 48601*.

6. That Scott Darryl Reese moves as the principle party as Citizen of the United States as intervener as a party of interest and by reference and artificial creation of SCOTT DARRYL REESE, a/k/a/, has been made a party to this cause of action by *DELPHI CORPORATION, et. al., DELPHI - DEBTOR IN POSSESSION*, DELPHI World Headquarters located at 5725 Delphi Drive, Troy, Michigan, 48098-2815, and *Delphi Energy & Chassis Systems, Saginaw Operations, 2328*

*East Genesee, Saginaw, Michigan, 48601, place of action, and General Motors/Delphi Automotive Payroll Services, Wage Attachments, 1225 West Washington Street, Tempe, Arizona, 85281.*

## **Request for Relief**

Wherefore, Scott Darryl Reese a/k/a SCOTT DARRYL REESE; SCOTT D. REESE, as one and the same, moves for relief pursuant to United States Bankruptcy Court for the Southern District of New York, pursuant to Rule of Intervention current with Federal Rules of Civil Procedure, in particular Rule 24 – Intervention of Right as Intervener, in this matter before this court, having a vested personal interest in this matter of the Bankruptcy of *DELPHI CORPORATION, et. al., DELPHI - DEBTOR IN POSSESSION*, DELPHI World Headquarters located at *5725 Delphi Drive, Troy, Michigan, 48098-2815*, and place of action *Delphi Energy & Chassis Systems, Saginaw Operations, 2328 East Genesee, Saginaw, Michigan, 48601.*

Wherefore, Scott Darryl Reese requests this relief under the statutes of the United States, as acts of the Congress of the United States of America, in particular United States Bankruptcy Court for the Southern District of New York, – Intervention, current with Fed. R. Civ. Procedure Rule 24 for Intervention as Intervener.

Wherefore, Scott Darryl Reese requests this relief as a natural Citizen of the 50 United States and claims sovereign immunity. [See in the **Matter of Heff, 197 U.S. 488 (1905) at 197 U.S. 492**].

Wherefore, Scott Darryl Reese requests the Honorable Judge of these proceeding take Judicial Notice of :

## **PREAMBLE and the CONSTITUTION OF THE UNITED STATES**

**We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic Tranquility, provide for the common defense, promote the General Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the**

**United States of America.**

**Supremacy Clause - - - Article VI, Clause 2. Supreme law. This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of Any State to the Contrary notwithstanding. [Reagan vs. United States, 182 U.S. 419 (1901)].**

**Judicial Notice of the CONSTITUTION OF THE STATE OF MICHIGAN  
1963, Effective January 1, 1964, Amended to April 1, 1985**

**Preamble - - We, the people of the State of Michigan, grateful to Almighty God for the blessings of freedom. and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this constitution.**

**Preamble - - Constitutional provisions are superior to statutory provisions. Holmer vs. State Officers Compensation Commission, 226 N. W. 2d. 90 (1974) 57 Mich. App. 255.**

**Preamble - - Purpose of constitution, in general - - - The function of a state Constitution is not to legislate in detail, but to generally set limits upon the otherwise plenary powers of the legislature. Romano vs. Aten, 35 N.W.2d. 701 (1949) 323 Mich. 533.**

**Preamble - - Conflicts between state and federal constitutions - - - In instance of conflict between State and Federal Constitutions the supremacy clause controls. People vs. Andrews, 176 N.W. 2d. 460 (1970) 21 Mich. App. 731.**

**Preamble - - Liberal construction of constitution - - - Constitutional provisions for protection of life, liberty and property are to be largely and liberally construed in favor of citizen. Lockwood vs. Nims, 98 N.W.2d. 753 (1959) 357 Mich. 517.**

**Preamble - - Rights and guarantees - - - The Constitution guarantees to citizens the general right to engage in any business which does not harm the public. Arlan's Department Stores Inc. vs. Kelly, 130 N.W. 2d. 892 (1964) 374 Mich. 70.**

**Constitutional guaranties apply to all alike and should not be withheld in slightest degree even from those under suspicion of violating law. Ex parte Bommarito, 259 N.W. 310 (1935) 270 Mich. 70.**

Wherefore, Scott Darryl Reese requests this relief in his natural name as a Citizen and on behalf of himself, pursuant to the laws and the Original Constitution of the United States of the Union of the united States of America as a sovereign Nation, as the supreme law, pursuant to Article VI, § 2, Constitution of the United States of America, as amended.

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I do hereby certify that, to the best of my knowledge and belief, the enclosed information is true and correct.

Date: \_\_\_\_\_, 2007

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Scott Darryl Reese;  
SCOTT DARRYL REESE;  
SCOTT D. REESE  
c/o 329 Basket Branch  
Oxford, Michigan state,  
[48371-6359]  
in the united States of America  
Claimant - (248) 969-4055

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Subscribed to and sworn before me this \_\_\_\_ day of \_\_\_\_\_, 200\_\_ .

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Notary Public, \_\_\_\_\_ County, Michigan.

My Commission Expires: \_\_\_\_\_